**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

**Function:** building a requisition that uses data obtained from a database relating to selected matching items on an order list.

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| a computer which is programmed with special-purpose software modules including a requisition module to execute an algorithm which includes the steps of: | | |
| (1) transferring data relating to selected matching items included on an order list to a requisition module; and | '172 Patent, Col. 12:52-Col 14:4 | Once the user has completely built the Order List 48 within Shell 52 and TV/2 search program 50, he or she can transmit it to Fisher RIMS system 40. This is accomplished by clicking on the "Order" box at the bottom of the Items Selected screen to communicate the completed Order List 48 to Fisher RIMS system 40.<br><br>The user may have selected no items, one item or several items from the catalogs contained in catalog database 36 by using TV/2 search program 50. If no items have been selected, the original items that were entered on Requisition Item Table 46 of Requisition Management data screen 110 will remain on that screen and will continue to be processed by Fisher RIMS system 40. If one or several desired catalog items were selected in TV/2 search program 50, the first item selected will replace the original item on Requisition Item Table 46 of Requisition Management data screen 110. Additional items that were selected from the search that was performed in TV/2 search program 50 will be added to Requisition Item Table 46 of Requisition Management data screen 110. |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | Interface programs ESCP 80 and ESRC 70 (FIG. 2) are used to send data to REQI program 44A (FIG. 1A) and its associated Requisition Management data screen 110 (FIG. 2) about the items that were selected from the search performed by TV/2 search program 50. To the user, it appears that all the items selected from the search are sent over to Fisher RIMS system 40 at the same time. However, ESCP program 80 receives multiple items from TV/2 search program 50, and then sends one item at a time to ESRC program 70. ESRC program 70 then waits until all items have been passed to it before sending data about the items to REQI program 44A and its associated Requisition Management screen 110 of Fisher RIMS system 40. The information transmitted to Requisition Management screen 110 from the Order List built in TV/2 search program 50 and sent through ESCP program 80 and ESRC program 70 includes vendor name, vendor number, vendor part (catalog) number, product description, list price, page number, quantity, unit and catalog text. However, not all of the above-listed fields may be displayed on screen at all times. ESRC program 70 passes control back to Fisher RIMS system 40 via XCTL 78. The requisition number, customer identification and release number (or other data identifying the requisition) will be passed in MENU-Comm-AREA 56 to confirm that the returned data are associated with the proper requisition. MENU-Comm-AREA 56 is a layout of storage area within local computer 20, as one of ordinary skill in the art would readily understand.<br><br>As previously indicated, multiple LINKS 82 may have been created between program ESRC 70 and program ESCP 80 if multiple lines |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | were selected (with the "S" symbol) in Requisition Management data screen 110. After completing the first search, and any additional searches initiated with the footer bar, an order list is created and returned to Requisition Item Data Table 46 associated with Requisition Management data screen 110. At this point, the next item is sent from a LINK 82 through program ESCP 80 and DDE LINK 90 to the TV/2 program 50, and a hit list resulting from the corresponding search is displayed on monitor 22. The process of searching, displaying, selecting and ordering is repeated until all of items stored by LINKS 82 have been sent to TV/2 program 50 and searched. At the end of each of these searches, an order list may be created and returned to Requisition Item Data Table 46 or cancelled. Once the last item is completed, ESRC program 70 passes control via XCTL 78, and a Requisition Management screen 110 is displayed, reflecting all of the additions and changes that have been made to the Requisition Item Data Table 46 associated with that requisition.<br><br>A limit is normally placed on the number of items of an order that may be returned to the Requisition Item Data Table 46. For example, if the maximum size in Requisition Item Data Table 46 is set at 200 lines, one could create a limit on the size of each order list at 20, 50, 100 or even 200. A corresponding limit can be placed on the number of LINKS 82 that can be established concurrently from the same requisition. Setting a limit of five LINKS 82 and forty items per order list would be one way of avoiding situations in which a Requisition Item Data Table 46 reaches its limit (e.g., 200 lines) before all of the searches (five) have been completed and order lists (five of forty items each) have been returned. |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
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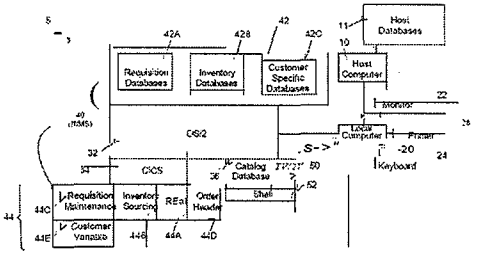
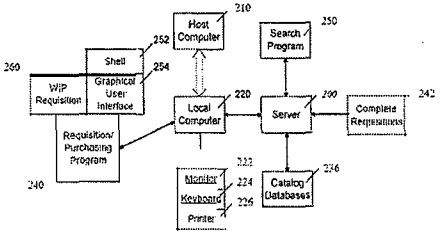
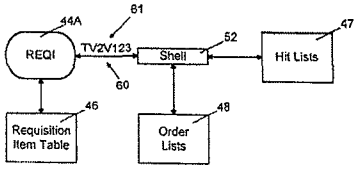
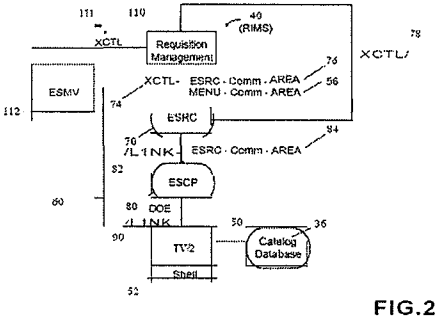
| | '172 Patent, Col. 7:43-48 | As described herein, however, limited fields on specific items can be transmitted from Requisition Item Table 46 to search program 50, and more completed fields of the same or different items can be received from the search program 50 into a Requisition Item Table 46. |
| | '172 Patent, Col. 10:22-44 | Once Hit List 47 has been created by TV/2 search program 50, the user can view it and select particular ones of the located catalog items for Order List 48 that is being created in Shell 52, as shown in FIG. 1C. For example, a search for "Eco RI," a restriction enzyme, may have uncovered five entries in the Promega catalog (identified by Promega catalog numbers R6011, R6012, R6013, R6015 and R401) and five entries in the Fisher catalog (identified by Fisher catalog numbers PRR6011, PRR6012, PRR6013, PRR6015 and PRR4014). If the user selected PRR6012 from the Fisher catalog, Fisher catalog number PRR6012 would be added as an entry to the Items Selected screen, with VN0000001 (identifying the vendor as distributor Fisher) accompanying it in the Order List 48. If the user instead selected the item identified by catalog number R6012 from the Promega catalog, then Promega catalog number R6012 would be added as an entry to the Items Selected screen, with VN00005860 (identifying the vendor as Promega) accompanying it in the Order List. In either case, the information transmitted to REQI program 44A of Fisher RIMS system 40 |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | would also include description, list price and other information taken from the catalog database from which the selection was made. |
| | '172 Patent, FIG. 1A |  <br>FIG. 1A |
| | '172 Patent, FIG. 1B |  <br>FIG. 1B |

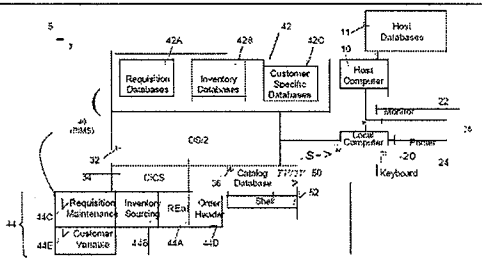
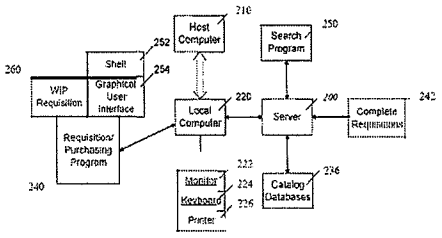
**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | '172 Patent, FIG. 1C |  FIG. 1C |
| | '172 Patent, FIG. 2 |  FIG.2 |
| (2) building a requisition using data from the selected matching items on the order list to populate certain fields on the requisition form; | '172 Patent, Col. 14:5-14 | At this point in the use of Fisher RIMS system 40, as many entries (lines) of Requisition Management data screen 110 have been built up (some through use of electronic sourcing system 5) as are necessary to complete the requisition. A sample of such a Requisition Management data screen 110, in which four lines have been entered identifying desired items to be requisitioned (including catalog items located as a result of a catalogs search), is shown in Appendix VIII. |

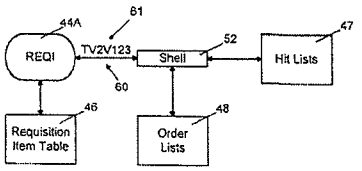
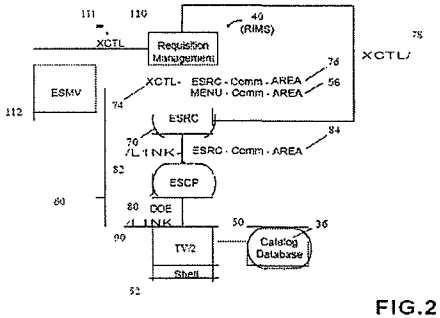
## Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | '172 Patent, Appendix I | APPENDIX I<br>FISHER SCIENTIFIC RIMS<br>REQUISITION HEADER<br>DATE: 08/03/94<br>TIME: 07:08:57<br>ACCT NBR :<br>NAME:<br>ADDRESS:<br>COMPANY :<br>REQ NBR :<br>RELEASE :<br>ORDER TYPE : R ORDER<br>HOLD/REL: 1<br>RUSH CODE: 0<br>CALLER :<br>FREIGHT OVERRIDE: N<br>TAX OVERRIDE:<br>EDI PO TO PRINT: N FOA 855<br>ATTN :<br>PRT ACK: Y<br>NBR OF COPIES: 1<br>ACK DELV CODE: P PRINT & DELIVER<br>BILL TO :<br>REQ DELV CODE: W WALK IN<br>SERVICE CHARGE: 0.00<br>VENDOR :<br>CREATED: 06/04/1994<br>STATUS: R<br>RESPONSE: KEY(S):<br>=ENADD F1:EXIT F4:UPDATE F5:REFRESH F6:ITEM F9:VAR F10:SRCE F11:CHGPO F12 DEL<br>=HV123 |
| | '172 Patent, Appendix II | APPENDIX II<br>" REQUISITION MANAGEMENT SCREEN"<br>XCCT NBR: 218688 002 REQ NBR: TEST NEW ONE<br>COMPo 1 REL NBR:<br>S LINE STOCK NBR QTY UM PT STKRM XREF SPI UNIT PRICE EXT PRICE<br>001 1324681S1' 0 CS 03 0.00 0.00<br>DESC: QTY AVAIL: 0 LOC: FSHR WHSE: BLW<br>002<br>DESC: QTY AVAIL: LOC: WHSE:<br>003<br>DESC: QTY AVAIL: LOC: WHSE:<br>004<br>DESC: QTY AVAIL: LOC: WHSE:<br>005<br>DESC: QTY AVAIL: LOC: WHSE:<br>RESPONSE: KEY(S):<br>ALL ITEMS DISPLAYED<br>F9:Entr F6:SOURCE F7:BKWD F8:FWD F9:NEW F10:NONCAT F11: CATALOG F12:CNCL |
| | '172 Patent, Appendix VIII | APPENDIX VIII<br>RICREQH FISHER SCIENTIFIC RIMS DATE: 07-20-94<br>REQUISITION MANAGEMENT SCREEN TIME: 14:54:22<br>XCCT NBR: 248490 006 REQ NBR: 10 NBR 001<br>COMPo 1 REL NBR:<br>O LINE STOCK NBR QTY UM PT STKRM XREF SPI UNIT PRICE EXT PRICE<br>001 A181 1 EA 03 0.00 0.00<br>DESC: QTY AVAIL: 0 IDC: FSHR WHSE EOC<br>002 025403K PT 01 0.00 0.00<br>DESC: QTY AVAIL: 49 LOC: WHSE: BT<br>003 1324681S1' EA 03 0.00 0.00<br>DESC: QTY AVAIL: 0 LOC: FSHR WHSE: EOC<br>004 A181-06 EA 06 100.00 100.00<br>DESC: ACETONE QTY AVAIL: 0 LOC: WHSE: BT<br>### BACKORDER WILL OCCUR<br>005<br>DESC: QTY AVAIL: 0 LOC: WHSE:<br>RESPONSE: KEY(S):<br>1 ITEM(S) PROCESSED<br>=F3:Exit F5:SOURCE F7:BKWD F8:FWD F9:NEW ITM F10:NONCAT F11: CATALOG F12:CNCL<br>SB V123 |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | '172 Patent, Appendix IX | APPENDIX IX<br>BJCPOMP1 FISHER SCIENTIFIC RIMS DATE: 08-03-94<br>REQUISITION MANAGEMENT SCREEN TIME : 07:44:13<br>COMP ID: 001 REQ-NBR : PO NBR 001<br>ACCT NBR.: 365690 006 REL-NBR :<br>ORDER NBR: PICKLIST REVIEWED :<br>SERVICE: 0.00 ORDER: 0.00 FREIGHT:<br>CARRIER:<br>O LINE PART QTY UOM PRD UNIT PRICE SERVICE EXT PRICE LOC- STAT<br>001 A181 EA 03 35.50 0.00 35.50 DEL S<br>ACETONE CERTIFIED ACS 1L QTY AVAIL: J QTY REC: 0<br>002 02540X PK 01 32.70 0.00 32.70 JIT S<br>BEAKER GRIFFIN 250 ML 139 QTY AVAIL: 49 QTY REC: 0<br>003 13246818' EA 03 3495.00 0.00 3495.00 EOC S<br>PROGRAMMABLE OVEN QTY AVAIL: 0 QTY REC: 0<br>004 A181-06 EA 06 100.00 0.00 100.00 In' S<br>ACETONE QTY AVAIL: 0 QTY REC: 0<br>RESPONSE: KEY(S):<br>+ F3:EXIT F5:ACCEPT F7:BKWD F8:FWD F9 PRINT ACK F11:MSB ERRORS F12 DELETE<br>IB VI 23 |
| | '172 Patent, FIG. 1A (elements 42A, 42C, 44C, 44E, 44A, 44D) |  <br>FIG. 1A |
| | '172 Patent, FIG. 1B (elements 260, 240, 242) |  <br>FIG. 1B |

**Claim 1, Element E:** **Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | '172 Patent, FIG. 1C |  <br>FIG. 1C |
| | '172 Patent, FIG. 2 |  <br>FIG.2 |
| | '172 Patent, Col. 1:15-39 | There are a number of known requisition purchasing systems that manage and process requisitions and purchase orders. One such system is the Fisher Scientific Requisition and Inventory Management System ("Fisher RIMS"), described in U.S. Pat. No. 5,712,989, issued on Jan. 28, 1998 and assigned to Fisher Scientific Company of Pittsburgh, Pa., the disclosure of which is incorporated herein by reference. As its title suggests, Fisher RIMS can also manage inventory. |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | In the Fisher RIMS system, requisition records are created from a real-time interaction between a host computer (generally a mainframe) and a local computer (generally at a customer site), with each computer using data from its own respective database of inventory in conjunction with information entered by a customer service representative operating the local computer. By accessing its respective database, each computer can build and transmit to the other computer communications blocks of data relating to a particular requisition of an item in inventory (or to the management of the inventory itself). The other computer can then use the received data to continue processing of the requisition. Thus, requisition records are created from a real-time interaction between the host and local computers, with each computer using data from its respective database in conjunction with information entered by a customer service representative operating the local computer. |
| | '172 Patent, Col. 4:6-8 | Electronic sourcing system 5 also includes a requisition/purchasing system 40, preferably but not necessarily the Fisher RIMS system, |
| | '172 Patent, Col. 4:15-29 | Fisher RIMS system 40 is comprised of numerous program modules, including several programs 44, which operate within CICS environment 34 of OS/2 operating system 32. Programs 44 include, among others, Requisition Management ("REQI") program 44A, Inventory Sourcing program or |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | programs 44B, Requisition Maintenance program 44C, Customer Variable program 44D, and Order Header program 44E, each of which will later be described in greater detail. REQI program 44A is most often the RIMS program 44 that interfaces with TV/2 search program 50.<br><br>Fisher RIMS system 40 also includes several Fisher RIMS databases 42. These databases 42 preferably include requisition databases 42A, inventory databases 42B, and customer-specific databases 42C, each maintained within OS/2 operating system 32. |
| | '172 Patent, Col. 6:45-Col 7:18 | Preferably, a user will start the electronic sourcing system 5 from Fisher RIMS system 40. Requisitioning on Fisher RIMS system 40 in context of the electronic sourcing system 5 of the present invention is illustrated in pertinent part in FIG. 2 (and is fully described in U.S. Pat. No. 5,712,989). As data (e.g., Account Number, Requisition Number and Stock Numbers) associated with a single requisition are entered through the various data screens on local computer 20, that computer creates a set of Requisition Tables (including a requisition Item Table 46, shown in FIG. 1C) for that particular requisition. The Requisition Tables are stored in Requisition databases 42A (shown in FIG. 1A), and can be accessed by local computer 20 using the |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | Requisition Number to find the desired table.<br><br>The first step in creating a requisition in Fisher RIMS system 40 involves entry by the user of information in the Order Header program 44D (shown in FIG. 1A), which has an associated Order Header data screen 100 (FIG. 3). A sample of an actual Order Header data screen 100 is set forth in Appendix I. The user enters an Account Number, which generally causes the correct name and address associated with that Account Number to be entered into the appropriate fields of Order Header data screen 100. The user must also enter a Requisition Number in the appropriate field of the Order Header screen 100. Various additional information may also be entered.<br><br>At the bottom of Order Header data screen 100 are several fields that describe the function of various function keys. Function keys F6, F9, and F10 all cause the system to jump to a new RIMS program 44 or data screen in Fisher RIMS system 40. For example, pressing the F9 key causes the system to jump to RIMS Customer Variable program 44E (FIG. 1A) and its associated Customer Variable Header data screen 104 (FIG. 3). Customer Variable Header program 44E with its associated Customer Variable Header data screen 104 allows the user to enter and edit information that the |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | particular customer desires to be associated with the requisition due to requirements of the customer's internal accounting system or other systems. Pressing the F10 key will cause the system to enter the Inventory Sourcing program or programs 44B. |
| | '172 Patent, Col. 7:19-40 | Pressing the F6 function key from the Order Header data screen causes Fisher RIMS system 40 to jump to REQI program 44A (FIG. 1A). The screen associated with REQI program 44A is Requisition Management data screen 110 (FIG. 3) illustrated in Appendix II. Within REQI program 44A and its associated Requisition Management data screen 110, Requisition Item Table 46 (shown in FIG. 1C) is a graphical representation of a database table in which certain fields are completed on a list of items that are to be listed, sourced and ordered. Representative Requisition Management data screens 110 showing a Requisition on Requisition Item Table 46 are set forth in Appendices II, VIII and IX. It should be appreciated that data about each item is stored in Requisition Item Table 46, some of which is displayed on the screens shown in Appendices II, VIII and IX. The data stored can additionally include customer variable data. That is, the fields on Requisition Item Table 46 can be expanded to include specific item details used by a particular customer, especially when reports from requisition databases are transferred to the |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
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| | | customer's host computer (not shown). The field structure for these data is maintained in customer-specific databases 42C. |
| | '172 Patent, Col. 7:49-65 | At the bottom of Requisition Management data screen 110 (FIG. 3), and Appendices II, VIII and IX) are several fields which describe the function of various function keys (F1, F2, etc.). The user uses REQI program 44A and its associated Requisition Management data screen 110 to enter the catalog or part numbers and quantities of the various items being requisitioned.<br><br>The Account Number and Requisition Number are automatically passed to REQI program 44A and its associated Requisition Management data screen 110, and displayed at the top of the Requisition Management data screen 110 in the relevant fields. For example, in the exemplary Requisition Management data screen 110 shown in Appendix II, the number 218848 has been entered in the Account Number field, and the notation "TEST NEW ONE" has been entered in the Requisition Number field. |
| | '172 Patent, Col. 17:30-67 | As shown in FIG. 1B, the present invention also has application to Distributor's regional customer service locations where a large number of CSRs may be placing orders directly on Distributor's host computer 210 for thousands of different customers who call in. In that environment, search program |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | 250, which preferably comprises TV/2 search program 250, and catalog databases 236 are stored on file server 200. In this environment, file server 200 is a large personal computer, a work station or a mini-computer such as an IBM AS/400. Alternatively, the server 200 and a minicomputer (such as an IBM AS/400) can be independently connected to each local computer 200. Each CSR has a local personal computer 220 having a monitor 222, a keyboard 224 and a printer 226. Local computer 220 is provided with programs including requisition/purchasing program 240, Shell program 252 and a graphic user interface 254 (preferably EASEL Workbench program 254 for OS/2) for listing items. One or more of these may be copied from server 220 when needed. Work-in-progress requisitions 260 are established for each customer and are attached to graphic user interface 254. Server 200 maintains complete requisitions 242, in a manner similar to the manner in which local computer 20 maintains requisition databases 42 in the embodiment shown in FIG. 1A.<br><br>Normally, in such an environment, the CSR creates Order lists for customers by entering Distributor catalog numbers into graphic user interface 254 and connecting to the Distributor mainframe 210 for price and availability. For this purpose, each local computer is connected to host computer 210 via a |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | phone/dataline and either a gateway or a minicomputer acting as a local host. When a customer asks for products by manufacturer part number or a competitor's catalog number, the CSR has access to cross-reference files, as earlier described, either maintained on the local host or maintained on the Distributor host computer 210. |
| | '172 Patent, Col. 18:6-10 | The resultant lists of products are then transferred by Shell program 252 to a work-in-progress requisition 260, and then entered from graphical user interface 254 directly onto Distributor's mainframe computer 210 as orders from the applicable customer to Distributor. |
| | '172 Patent, Col. 18:15-20 | In this regional environment, file server 200 or the minicomputer acting as local host can maintain files of completed requisitions 242 which can be subsequently used for generating reports for customers in the region. |
| | '172 Patent, Col. 19:15-Col. 20:21 | The operating environment (regional CSR site, on-site CSR, on-site CSR networked with Customer end users and with purchaser personnel or Distributor purchasing site) will also affect the catalog databases 236 included, file server 200 size and requisition/purchasing program 240 used. In some situations (e.g., purchasing) each client computer has an independent copy of requisition/purchasing program 240; in others (e.g., on-site CSR) a single copy of the requisition/purchasing program 240 is maintained |

**Claim 1, Element E: Means For Building a Requisition That Uses Data Obtained From Said Database Relating to Selected Matching Items on Said Order List**

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | with associated local databases on the server 200. Where the requisition/purchasing program 240 and local databases are maintained on file server 200, the local database is updated after each use for the benefit of subsequent users. For example, in an environment using Fisher RIMS for requisition/purchasing program 240, if a NIST standard is selected using TV-2 search program 250 and ordered using Fisher RIMS 240 (as either a type 07 purchase from Distributer or a type 05 administrative purchase from NIST), that item is available in the applicable database for subsequent requisitions. For example, a NIST standard ordered as a type 05 item will be stored in the local database on file server 200, with NIST as the vendor for subsequent administrative purchases by Customer. A NIST standard ordered from Distributor as a type 07 item will be stored in Distributor's host databases as a type 07 available to Distributor from NIST. The local databases on file server 200 will also contain records of all items requisitioned and ordered, useful to transfer files to a Customer's computer (e.g., of purchase orders placed by that Customer in a day) or to generate reports for a Customer (e.g., or requisitions placed by each Customer department and/or budget number in a week). |
| and structural equivalents thereof. | | |

**Claim 1, Element E: Means For Building A Requisition That Uses Data Obtained From Said Database Relating To Selected Matching Items On Said Order List**

This claim element is similar to Element D of Claim 3 of the '683 Patent and Element C of Claim 6 of the '683 Patent except that instead of building a requisition from "selected matching items and their associated source(s)," it states that the requisition is to be built from "selected matching items on said order list."

The same reasoning applies to this element as for Claim 3, Element D and Claim 6, Element C. Namely, the algorithm associated with this element does not begin until the point when the selected matching item data on the order list are transferred from the search engine module and shell to the requisition/purchasing program. *See* the discussion above for Claim 3, Element D.

Thus, based on the language of the claim element and the description of the system's operation in the patent specification, the algorithm corresponding to the "means for building a requisition that uses data obtained from said database relating to selected matching items on said order list" is simply:

> (1) transferring data relating to selected matching items on an order list to a requisition module; and (2) building a requisition using data from the selected matching items on the order lists to populate certain fields on the requisition form; and structural equivalents thereof.

## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

**Function:** processing a requisition to generate purchase orders for selected matching items.

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| a computer which is programmed with special-purpose software modules including a purchasing module to execute an algorithm which includes the steps of | | |
| (1) accepting the requisition; and | '172 Patent, Col. 15: 39-40 | Once a requisition has been inventory sourced and accepted by the CSR, |
| (2) generating purchase orders based on the data included in the requisition related to the selected matching items on the order list and based on predetermined rules relating to the user's preference (*e.g.*, one purchase order to each distinct supplier referenced in the requisition); | '172 Patent, Col. 15:39- Col 16:4 | Once a requisition has been inventory sourced and accepted by the CSR, it can be converted to one or more purchase orders, as represented by step 114 in FIG. 3. For example, the requisition represented by the Requisition Item Table 46 of Appendix IX, if accepted without further revision by pressing function key F6 ("ACCEPT"), would result in the generation of the following three purchase orders:<br><br>A. Line 002 would be ordered from on-site distributor-owned inventory;<br><br>B. Line 004 would be ordered from on-site customer-owned inventory (a transfer internal to the customer); and<br><br>C. Lines 001 and 003 would be ordered, respectively, from Distributor's "DEL and "EDC" warehouses. |

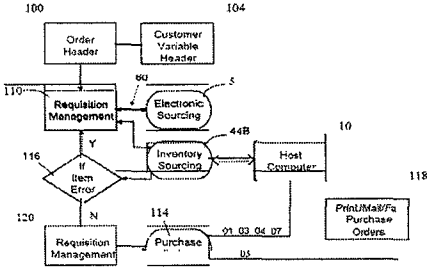
## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | Of these three purchase orders, Orders A (type "01") and C (type "03") are shared between host computer 10 and local computer 20 (as shown in FIG. 3). Upon execution of Order A, the inventory records on both computers for Distributor-owned JIT inventory are adjusted synchronously. A purchase order is generated by host computer 10 immediately thereafter. Order B (type "06") is executed and stored only on local computer 20. Upon execution of Order B, the inventory record on local computer 20 is adjusted (the host computer contains no records on Customer-owned JIT inventory or on items ordered by Administrative Purchases). For Administrative Purchases (type 05 items), a purchase order is printed, and mailed or faxed, locally by computer 20 as indicated at step 118 in FIG. 3, or via host computer 10 via EDI (if EDI was selected in the Header of Appendix I and an EDI transfer arrangement existed with vendor).<br><br>It is an important feature of the present invention that a requisition may be filled by searching and selecting from a catalog database of items, inventory sourced, and the resulting requisition then divided into one or more purchase orders. This contrasts with known prior art CD-ROM catalog systems in which only a single purchase order to a single supplier is built without reference to inventory records, and in which the information used to create the purchase order is limited to that contained in the product catalog of a single vendor. |
| | '172 Patent, Col. | A purchase order then would be generated for this |

## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | 10:53-65 | corresponding Distributor item as further described below.<br><br>By contrast, an item selected from the Fairmont catalog would be transferred to Fisher RIMS system 40 with the vendor number for Fairmont, and would be recognized during inventory sourcing as either a type 07 product (that Distributor orders from Fairmont) or as a type 05 item (that customer orders from Fairmont as an Administrative Purchase). In either of these two cases, a purchase order would be generated for an item, corresponding to a desired catalog item, that is identified by the same Fairmont catalog number that was requisitioned. |
| | '172 Patent, Col. 18: 54- 67 | Once responses from either or both have been obtained, the Distributor purchasing employee can use the item list in EASEL interface 254 to create one or more of the following purchase orders: 1. an order from the customer to the supplier (an Administrative Purchase); 2. an order from the customer to Distributor (for a type 07 product); and 3. an order from the Distributor to the supplier (usually providing for direct shipment from the supplier to the customer or to a JIT site maintained by Distributor for the customer). |
| | '172 Patent, Col. 18: 11-15 | The CSR, knowing which items are available from which Distributor warehouse and direct-shipping supplier, then may divide the customer's requested items into multiple orders, so as to assure that each |

## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | order is completely filled by a single shipment. |
| | '172 Patent, Appendix IX | APPENDIX IX<br>RICPOMP1 FISHER SCIENTIFIC RIMS DATE: 09-08-94<br>REQUISITION MANAGEMENT SCREEN TIME : 08:44:13<br>COMP ID: 001 REQ-NBR : PO NBR 001<br>ACCT NBR.: 365690 006 REL-NBR :<br>ORDER NBR: PICKLIST REVIEWED :<br>SERVICE: 0.00 ORDER: 0.00 FREIGHT:<br>CARRIER:<br>O LINE PART QTY UOM PRD UNIT PRICE SERVICE EXT PRICE LOC-STAT<br>001 A181 EA 03 35.30 0.00 35.30 DEL S<br>ACETONE CERTIFIED ACS IL QTY AVAIL: 1 QTY REC 0<br>002 025402X PK 01 32.70 0.00 32.70 FIX S<br>BEAKER GRIFFIN 250 ML 12/9 QTY AVAIL: 49 QTY REC: 0<br>003 132468181' EA 03 3495.00 0.00 3495.00 EOC S<br>PROGRAMMABLE OVEN QTY AVAIL: 0 QTY REC: 0<br>004 A181-06 EA 06 100.00 0.00 100.00 In' S<br>ACETONE QTY AVAIL: 0 QTY REC: 0<br>RESPONSE: KEY(S):<br>+ F3:EXIT F5:ACCEPT F7:BKWD F8:FWD F9:PRINT ACK F11:MSB ERRORS F12 DELETE<br>IB V1.23 |
| | '172 Patent, FIG. 3 |  <br>FIG. 3 |
| | '172 Patent, Col. 1: 15-40 | There are a number of known requisition purchasing systems that manage and process requisitions and purchase orders. One such system is the Fisher Scientific Requisition and Inventory Management System ("Fisher RIMS"), described in U.S. Pat. No. 5,712,989, issued on Jan. 28, 1998 and assigned to Fisher Scientific Company of Pittsburgh, Pa., the disclosure of which is incorporated herein by reference. As its title suggests, Fisher RIMS can also |

## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | manage inventory. In the Fisher RIMS system, requisition records are cleated from a real-time interaction between a host computer (generally a mainframe) and a local computer (generally at a customer site), with each computer using data from its own respective database of inventory in conjunction with information entered by a customer service representative operating the local computer. By accessing its respective database, each computer can build and transmit to the other computer communications blocks of data relating to a particular requisition of an item in inventory (or to the management of the inventory itself). The other computer can then use the received data to continue processing of the requisition. Thus, requisition records are created from a real-time interaction between the host and local computers, with each computer using data from its respective database in conjunction with information entered by a customer service representative operating the local computer. |
| | '172 Patent, Col. 14: 62- Col. 15: 15 | For example, as shown in Appendix IX, product type "01" for the item on line 002 indicates that the requested requisition item is available as Distributor-owned inventory in the JIT inventory that the vendor/distributor maintains near local computer 20, either for the particular Customer or for a group of customers. Product type "06" for the item on line 004 indicates that this item is available for the requisitioner employed by the Customer from |

## Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items

| Corresponding structure: | Specification Support: | Text from Patent: |
|---|---|---|
| | | inventory owned by Customer's purchasing department but managed by local computer 20. Product type "03" for the items on lines 001 and 003 indicates that these are regular Distributor items that the communication between Distributor's host computer 10 and local computer 20 determined were available in sufficient quantity at one or another of Distributor's general warehouses designated "DEL" and "EDC" in the location ("LOC") field. Product type "05" (not shown in Appendix IX) indicates that a requisitioned item is to be purchased by Customer directly from an outside supplier, using an Administrative Purchase Order that local computer 20 creates and prints (or transmits) for Customer. |
| and structural equivalents thereof. | | |

**Claim 1, Element F: Means For Processing Said Requisition To Generate Purchase Orders For Said Selected Matching Items**

See the discussion above for Claim 3, Element E of the '683 Patent.

**CONCLUSION**

For the foregoing reasons, *e*Plus respectfully requests that the Court adopt its proposed claim constructions.

Respectfully submitted,

*e*Plus inc.

By Counsel

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Counsel for Plaintiff, *e*Plus inc.

Dated: February 16, 2010

# EXHIBIT 1

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| **Electronic sourcing system**<br>**('683 Patent: claims 3, 6; '516 Patent: claims 1, 2, 6, 9, 21, 22, 29; '172 Patent: claim 1)** | An electronic system for use by a prospective buyer to locate and find items to purchase from sources, suppliers or vendors. | A system for determining what inventory will be used to fulfill requests for items. |
| **Catalog/Product Catalog**<br>**('683 Patent: claims 3, 26, 28, 29; '516 Patent: claims 1, 2, 6, 9, 21, 22, 29)** | This claim term does not require construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, *e*Plus proposes the following construction:<br>an organized collection of items and associated information which typically includes a part number, price, catalog number, vendor name, vendor ID, a textual description of an item, and images of or relating to the item. | A collection of text and images organized and published by a vendor, representing products sold by that vendor. |
| **Converting data related to a selected matching item and an associated source to an item and a different source**<br>**('683 Patent: claim 28)** | This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes that such term requires construction, *e*Plus proposes the following construction:<br>A process of cross-referencing data relating to a selected matching item and an associated source to an item an a different source. | Substituting a catalog entry related to a product with a catalog entry describing the product from a different source by using matching codes in a cross-reference table for sourcing and pricing. |
| **Subset**<br>**('516 Patent: claims 1, 29) (Undisputed)** | Less than all of a set.[1] | Less than all of a set. |

[1] The parties agreed upon this construction at the January 22, 2010 Hearing. *See*

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| **Matching Items**<br>**('683 Patent: claims 3, 6, 26, 28, 29; '172 Patent: claim 1)** | This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, *e*Plus proposes the following construction:<br>Items returned in search results that satisfy search criteria. | The results of a search of items matching a user-entered search criteria (*i.e.*, "Hit List"). |
| **Selected Matching Items**<br>**('683 Patent: claims 3, 6, 26, 28, 29; '172 Patent: claim 1)** | This term requires no construction beyond its plain and ordinary meaning. To the extent, however, that the Court believes such term requires construction, *e*Plus proposes the following construction:<br>Items returned in search results that satisfy search criteria and are selected for inclusion on an order list or in a requisition. | One or more items selected by a user in the search program from the list of "matching items" for inclusion in an order list. |
| **Searching for matching items among the [selected product catalogs/data relating to the items]**<br>**('683 Patent: claims 26, 28)** | This term requires no construction beyond its plain and ordinary meaning | Searching selected product catalogs to locate items in response to user-entered search criteria. |
| **Order List**<br>**('172 Patent: claim 1)** | This term requires no construction beyond its plain and ordinary meaning. | A list of items derived from a list of selected matching items. |
| **Protocol**<br>**('516 Patent: claims 1, 29) (Undisputed)** | A procedure. | A procedure.[2] |
| **Cross-Reference** | This term requires no construction | A table including reference or |

Transcript at 38-39.

[2] The parties agreed upon this construction at the January 22, 2010 hearing with the proviso that it would not be used as a basis for a noninfringement position. *See* Transcript at 25-27.

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| **Table**<br><br>**('516 Patent: claims 21, 29)** | beyond its plain and ordinary meaning. | identification codes used to link vendor items by catalog number between two or more different vendors determined by a Distributor to be equivalent. |
| **A multiple purchase order generation module, said purchase order generation module creating multiple purchase orders from a single requisition created with said user-generated criteria and said search-module criteria**<br><br>**('516 Patent: claim 21)** | This claim element requires no construction beyond its plain and ordinary meaning. | **Function:** creating multiple purchase orders from a single requisition created with said user-generated criteria and said search-module criteria.<br><br>**Corresponding Structure:** None. |
| **Means for selecting the product catalogs to search**<br><br>**('683 Patent: claim 3)** | **Function:** selecting the product catalogs to search.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules to execute an algorithm which includes the steps of: (1) receiving inputted information relating to a user's selection of product catalogs to search from among the at least two product catalogs available; and (2) communicating the input selection to a search engine module; or (1) selecting catalogs to be searched from among the at least two product catalogs available based on preferences or history; and (2) communicating the catalog selection to a search engine module; and structural equivalents thereof.<br><br>*See, e.g.*, '683 Patent, Col. 5, l. 66 | **Function:** selecting two or more product catalogs to search<br><br>**Corresponding Structure:** Two means for selecting two or more product catalogs are disclosed:<br><br>1. Software initiated from catalog search program (50 or 250) running on local computer (20 or 220) that consists of the following steps:<br><br>a. selecting two or more product catalogs from a list of available catalogs displayed to a user ('683 col. 9:52-67); and<br><br>2. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:<br><br>a. entering vendor identification information into requisition/purchasing system (10:8- |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *ePlus*'s Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | to Col. 6, l. 3; Col. 6, ll. 11-13; Col. 7, ll. 38-43; Col. 7, l. 61 to Col. 8, l. 2; Col. 8, ll. 8-26; Col. 8, ll. 33-58; Col. 9, ll. 19-34; Col. 9:52-Col. 10:20; Col. 16, ll. 40-54; Col. 17, ll. 14-15; Col. 17, ll. 34-38; Col. 17, ll. 56-61; Col. 18, ll. 32-39; Col. 18, ll. 42-47; Col. 18, ll. 52-67; Appendix VII; Figs. 1A, 1B, 1C, 2. | 11); and<br>b. communicating vendor identification from requisition/purchasing system to catalog search program running on same local computer via the DDE protocol of interface (60) (10:8-20) |
| **Means for searching for matching items among the selected product catalogs**<br><br>**('683 Patent: claim 3)** | **Function:** searching for matching items among the selected product catalogs.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a search engine module to execute an algorithm which includes the steps of: (1) receiving search criteria (*e.g.*, catalog number, part number, partial textual description) relating to item(s) to be searched; (2) communicating the search criteria to a search engine module; (3) querying certain fields of the item data to locate item records in the selected product catalogs matching the search criteria; and (4) outputting items matching the search criteria; and structural equivalents thereof.<br><br>*See, e.g.*, '683 Patent, Col. 4, ll. 4-9; Col. 4, ll. 25-30; Col. 5, ll. 18-39; Col. 5, l. 61-Col. 6, l. 22; Col. 7, l. 61-Col. 8, l. 32; Col. 8, l. 40-Col. 10, l. 20; Col. 10, l. 65-Col. 11, l. 29; Col. 12, ll. 4-29; Col. 16, ll. 8-32; Col. 18, ll. 6-13; Figs. 1A, 1B, 1C, 2; Appendices I, II, III, IV, V, VI, VIII. | **Function:** searching for matching items among the selected two or more product catalogs<br><br>**Corresponding Structure:** Two means are disclosed:<br><br>1. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:<br><br>a. entering certain search criteria (*e.g.*, catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (7:48-55; 7:61-8:2; 8:22-26);<br><br>b. searching local RIMS databases (42) based on search criteria, and if found, search is complete (6:6-8; 7:36-38; 4:20-23);<br><br>c. if items are not found in RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (8:37-9:8);<br><br>d. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | selects the catalogs to be searched (9:67-10:4).<br><br>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (9:34-37; 10:8-20);<br><br>f. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and<br><br>g. displaying via catalog search program a hit list of search results (9:39-45).<br><br>2. Software initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:<br><br>a. displaying a search screen on the monitor of local computer (12:4-12; Appendix VII);<br><br>b. receiving search criteria (*e.g.* catalog page number, keyword, part number) for item to be searched (9:12-14; 12:12-24);<br><br>c. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (9:67-10:4).<br><br>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (9:34-37; 10:8-20); |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and<br><br>f. displaying via catalog search program a hit list (47) of search results (9:39-45; 10:2-4; 12:27-29, Appendix III) |
| **Means for building a requisition using data relating to selected matching items and their associated source(s)**<br><br>**('683 Patent: claims 3, 6)** | **Function:** building a requisition using data relating to selected matching items and their associated source(s).<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a requisition module to execute an algorithm which includes the steps of (1) transferring data relating to selected item(s) from hit list(s) that were returned from the search(es); and (2) building a requisition using data from the selected matching items to populate certain fields on the requisition form; and structural equivalents thereof. [3]<br><br>*See, e.g.*, '683 Patent, Col. 1, ll. 11-35; Col 3, ll. 16-19; Col. 4, ll. 1-3; Col. 4, ll. 10-22; Col. 5, ll. 18-38; Col. 6, l. 39-Col. 8, l. 2; Col. 10, ll. 21-43; Col. 11, ll. 30- | **Function:** building a requisition using data relating to selected matching items and their associated source(s)<br><br>**Corresponding Structure:** A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:<br><br>a. entering certain data (*e.g.*, account number, requisition number) in requisition/purchasing system (40 or 240) to create requisition tables stored in requisition database (42A) 6:44-65; 7:20-28);<br><br>b. initiating a search for matching item(s) in catalog database (36 or 236) from either requisition/purchasing system (40 or 240) or catalog search program (50 or 250) running on local computer (20 or 220) via two search means |

[3] Upon further consideration and consultation with *e*Plus's expert Dr. Alfred Weaver, this construction has been modified because the patent specification clearly discloses that the search engine module, rather than the requisition module, is used to perform the step of selecting the matching items from the hit lists. That data relating to the selected matching items is then transferred to the requisition module to build the requisition. *See* Weaver Dec., ¶¶73-80.

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | 67; Col. 12, l. 30-Col. 14, l. 4; Col. 16, ll. 40-54; Col. 17, ll. 10-28; Col. 18, ll. 47-52; Figs. 1-3; App. I, II, VI, VIII, IX. | described above (8:15-32);<br>c. displaying via catalog search program a hit list (47) of search results (9:39-45; 12:27-29; Appendix III);<br>d. selecting one or more items to be requisitioned (20:21-24; 11:30-38);<br>e. generating an order list (48) in shell (52 or 252) and catalog search program (50 or 250) containing data relating to selected items (*e.g.* vendor name, product description, list price) (11:20-38; 11:62-66);<br>f. displaying data relating to selected items in order lists (48) (11:38-43; 12:38-40; Appendix VI);<br>g. transmitting data from order list (48) to requisition/purchasing system running on same local computer (20) or 220) via the DDE protocol of interface (60) (11:50-54; 12:48-53; 13:1-21); and<br>h. updating requisition tables in requisition database (42A) with data received from order list (48) via interface (60) (12:60-67). |
| **Means for processing the requisition to generate one or more purchase orders for the selected matching items**<br>**('683 Patent: claims 3, 6)** | **Function:** processing the requisition to generate one or more purchase orders for the selected matching items.<br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a purchasing module to execute an algorithm which includes the steps of: (1) accepting the requisition; and (2) generating one or more purchase orders based on the data included in the requisition relating to the matching items selected from the | **Function:** processing the requisition to generate one or more purchase orders for the selected matching items<br>**Corresponding Structure:** None. |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *ePlus*'s Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | items returned from searching selected product catalogs and based on predetermined rules relating to the user's preference (*e.g.*, one purchase order to each distinct supplier referenced in the requisition); and structural equivalents thereof.<br><br>*See, e.g.*, '683 Patent, Col. 1, ll. 10-35; Col. 10, ll. 52-64; Col. 15, ll. 20-54; Col. 17, ll. 44-48; Col. 18, ll. 18-29; Figs. 1-3. | |
| **Means for converting data relating to a selected matching item and an associated source to data relating to an item and a different source**<br><br>**('683 Patent: claims 3, 6)** | **Function:** converting data relating to a selected matching item and an associated source to data relating to an item and a different source.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules to execute an algorithm which includes the steps of: (1) maintaining a cross-reference table or file identifying cross-referenced items, identical items or generally equivalent items and one or more codes corresponding to cross-referenced items, identical items or generally equivalent items; (2) for a selected matching item, accessing the cross-reference table or file to identify an identical item or generally equivalent item cross-referenced to the selected matching item and associated with a different source; and (3) replacing the selected matching item and its associated source with the identical item or generally equivalent item and its different source in a requisition; and structural equivalents thereof.<br><br>*See, e.g.*, '683 Patent, Col. 4, l. 60 - Col. 5, l. 8; Col. 10, ll. 43-52; | **Function:** converting data relating to a selected matching item and an associated source to data relating to an item and a different source<br><br>**Corresponding Structure:** None. |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | Col. 14, ll. 35-45; Col. 16, ll. 8-32; Col. 16, ll. 54-62; Col. 17, ll. 29-48; Appendices VII-X. | |
| **Means for searching for matching items in the database**<br><br>**('683 Patent: claim 6)** | **Function:** searching for matching items in the database.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a search engine module to execute an algorithm which includes the steps of: (1) receiving search criteria (*e.g.*, catalog number, part number, partial textual description) relating to items(s) to be searched; (2) communicating the search criteria to a search engine module; (3) querying certain fields of the item data to locate item records in the database matching the search criteria; and (4) outputting items matching the search criteria; and structural equivalents thereof.<br><br>*See, e.g.*, '683 Patent, Col. 4, ll. 4-9; Col. 4, ll. 25-30; Col. 5; ll. 18-39; Col. 5, 61-Col. 6, l. 22; Col. 7, l. 61-Col. 8, l. 32; Col. 8, l. 40-Col. 10, l. 20; Col. 10, l. 65- Col. 11, l. 29; Col. 12, ll. 4-29; Col. 16, ll. 8-32; Col. 18, ll. 6-13; Figs. 1A, 1B, 1C, 2; Appendices I, II, III, IV, V, VI, VII. | **Function:** searching for matching items in the database<br><br>**Corresponding Structure:** Two means are disclosed:<br><br>1. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:<br><br>a. entering certain search criteria (*e.g.*, catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (7:48-55; 7:61-8:2; 8:22-26);<br><br>b. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user selects the catalogs to be searched (9:67-10:4).<br><br>c. searching local RIMS databases (42) based on search criteria, and if found, search is complete (6:6-8; 7:36; 4:20-23);<br><br>d. if items are not found in RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) (8:37-9:8);<br><br>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *ePlus*'s Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | system (9:34-37; 10:8-20);<br><br>f. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and<br><br>g. displaying via catalog search program a hit list of search results (9:39-45).<br><br>2. Software initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:<br><br>a. displaying a search screen on the monitor of local computer (12:4-12; Appendix VII);<br><br>b. receiving search criteria (*e.g.*, catalog page number, keyword, part number) for item to be searched (9:12-14; 12:12-24);<br><br>c. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (9:67-10:4).<br><br>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (9:34-37; 10:8-20);<br><br>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | f. displaying via catalog search program a hit list (47) of search results (9:39-45; 10:2-4; 12:27-29, Appendix III). |
| **Means for entering product information that at least partially describes at least one desired item**<br>**('172 Patent: claim 1)** | **Function:** entering product information that at least partially describes at least one desired item.<br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules to execute an algorithm which includes the step of receiving certain fields of entered information, (*e.g.*, catalog number, part number, partial text, etc.) to at least partially describe at least one desired item; and structural equivalents thereof.<br>*See, e.g.*, '172 Patent, Col. 5, l. 24- Col. 6, l. 27; Col. 7, l. 66- Col. 8, l. 37; Col. 8, ll. 45-62; Col. 12, ll. 6-28; Figs. 1-2; App. VII. | **Function:** entering product information that at least partially describes at least one desired item<br>**Corresponding Structure:** Two means are disclosed:<br>1. A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following step:<br>a. entering in requisition/purchasing system (40 or 240) certain fields of information (*e.g.*, catalog number, part number, or partial text) that partially describe an item ('683 Cols. 7:48-55, 7:61-8:2: 8:22-26)<br>2. A software means initiated from shell program (52 or 252) running on local computer (20 or 220) that consists of the following steps:<br>a. displaying a search screen on the monitor of local computer (12:4-12; Appendix VII); and<br>b. entering search criteria (*e.g.*, catalog page number, keyword, part number) for item to be searched (l:12-14; 12:12-24). |
| **Means for searching for matching items that match the entered product information in the selected portions of the database**<br>**('172 Patent: claim 1)** | **Function:** searching for matching items that match the entered product information in the selected portions of the database.<br>**Corresponding structure:** a computer which is programmed with special-purpose software modules including a search engine module to execute an algorithm which includes the steps of: (1) | **Function:** searching for matching items that match the entered product information in the selected portions of the database<br>**Corresponding Structure:** Two means are disclosed:<br>1. Software initiated from requisition/purchasing system (40 or 240) running on local computer (20 |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | receiving the entered product information relating to item(s) to be searched; (2) communicating the entered product information to a search engine module; (3) querying certain fields of the item data to locate item records in the selected portions of the database matching the entered product information; and (4) outputting a hit list of items matching the entered product information; and structural equivalents thereof.<br><br>*See, e.g.*, '172 Patent, Col. 4, ll. 10-14; Col. 6, ll. 4-27; Col. 7, l. 66- Col. 8, l. 37; Col. 8, l. 45-Col. 10, l. 21; Col. 12, ll. 6-41; Figs. 1A, 1B, 1C, 2; Appendix III; Appendix VII. | or 220) that consists of the following steps:<br><br>a. entering certain search criteria (*e.g.*, catalog number, part number, or partial text) relating to item(s) to be searched into requisition/purchasing system (7:48-55; 7:61-8:2; 8:22-26);<br><br>b. searching local RIMS databases (42) based on search criteria, and if found, search is complete (6:6-8; 7:36-38; 4:20-23);<br><br>c. if items are not found in RIMS databases (42), communicating the search criteria from requisition/purchasing system (40 or 240) to catalog search program (50 or 250) running on same local computer via the DDE protocol of interface (60) 8:37-9:8);<br><br>d. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only selected product catalogs to be searched after the user selects the catalogs to be searched (9:67-10:4).<br><br>e. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) based on the search criteria received from requisition/purchasing system (9:34-37: 10:8-20);<br><br>f. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword and (c) page number, stopping at highest priority search criteria insulting in a match (6:14-22); and<br><br>g. displaying via catalog search program a hit list of search results |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | (9:39-45)<br><br>2. Software initiated from shell program (52 or 252) running on local computer (20 or 220), that consists of the following steps:<br><br>a. displaying a search screen on the monitor of local computer (12:4-12); Appendix VII);<br><br>b. receiving search criteria (*e.g.*, catalog page number, keyword, part number) for item to be searched (9:12-14; 12:12-24);<br><br>c. concatenating (*i.e.*, joining together by linking so as to form a chain or series) only the selected product catalogs to be searched after the user selects the catalogs to be searched (9:67-10:4).<br><br>d. searching the concatenated catalogs from catalog database (36 or 236) via catalog search program (50 or 250) running on local computer based on data received from shell program (52) (9:34-37: 10:8-20);<br><br>e. if more than one search criterion is received, catalog search program prioritizes search as follows: (a) part (catalog) number, (b) keyword, and (c) page number, stopping at highest priority search criteria resulting in a match (6:14-22); and<br><br>f. displaying via catalog search program at hit list (47) of search results (9:39-45; 10:2-4; 12:27-29, Appendix III). |
| **Means for generating an order list that includes at least one matching item selected by said means for searching** | **Function:** generating an order list that includes at least one matching item selected by a search engine program.<br><br>**Corresponding Structure:** a computer which is programmed | **Function:** generating an order list that includes at least one matching item selected by said means for searching<br><br>**Corresponding Structure:** A software means that utilizes catalog |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
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| **('172 Patent: claim 1)** | with special-purpose software modules to execute an algorithm which includes the steps of: (1) displaying a hit list of results of a search corresponding to items matching the entered product information; (2) selecting one or more items from the hit list for inclusion in an order list; and (3) generating an order list containing data related to the selected matching items; and structural equivalents thereof.<br><br>*See, e.g.,* '172 Patent, Col. 9, l.51-Col. 10, l. 44; Col. 10, l. 66-Col. 12, l. 2; Col. 12, ll. 42-57; Col. 17, l. 55-Col. 18, l. 10; Col. 18, ll. 43-50; Appendix III; Appendix VI; Figs 1A, 1B, 1C. | search program (50 or 250) and shell program (52 or 252) and consists of the following steps:<br><br>a. displaying via catalog search program (50 or 250) a hit list (47) of search results (9:39-45; 12:27-29; Appendix III);<br><br>b. selecting one or more items to be requisitioned (10:21-24, 11:30-38) and<br><br>c. generating an order list (48) in shell (52 or 252) containing data relating to selected items (*e.g.*, vendor name, product description, list price) (11:20-38; 11:62-66). |
| **Means for building a requisition that uses data obtained from said database relating to selected matching items on said order list**<br><br>**('172 Patent: claim 1)** | **Function:** building a requisition that uses data obtained from a database relating to selected matching items on an order list.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a requisition module to execute an algorithm which includes the steps of: (1) transferring data relating to selected matching items included on an order list to a requisition module; and (2) building a requisition using data from the selected matching items on the order list to populate certain fields on the requisition form; and structural equivalents thereof.<br><br>*See, e.g.*, '172 Patent, Col. 1, ll. 15-40; Col. 10, ll. 22-44; Col. 12, l. 52- Col. 14, l. 14; Figs. 1-3; App. I, II, VI, VIII, IX. | **Function:** building a requisition that uses data obtained from said database relating to selected matching items on said order list<br><br>**Corresponding Structure:** A software means initiated from requisition/purchasing system (40 or 240) running on local computer (20 or 220) that consists of the following steps:<br><br>a. entering certain data (*e.g.*, account number, requisition number) in requisition/purchasing system (40 or 240) to create requisition tables stored in requisition database (42A) 6:44-65; 7:20-28);<br><br>b. initiating search for matching items(s) in catalog database (36 or 236) from either requisition/purchasing system (40 or 240) or catalog search program (50 or 250) running on local computer (20 or 220) via two search means |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| | | described above (8:15-32);<br><br>c. displaying via catalog search program a hit list (47) of search results (9:39-45; 12:27-29; Appendix III)<br><br>d. selecting one or more items to be requisitioned (10:21-24; 11:30-38);<br><br>e. generating an order list (48) in shell (52 or 252) and catalog search program (50 or 250) containing data relating to selected items (*e.g.*, vendor name, product description, list price) (11:20-38: 11: 62-66);<br><br>f. displaying data relating to selected items in order list (48) (11:38-43; 12:38-40; Appendix VI);<br><br>g. transmitting data from order list (48) to requisition/purchasing system running on same local computer (20 or 220) via DDE protocol of interface (60) (11:50-54; 12:48-53; 13:1-21); and<br><br>h. updating requisition tables in requisition database (42A) with data received from order list (48) via interface (60) (12:60-67). |

**EXHIBIT 1**
**Comparison of Parties' Proposed Constructions**

| Claim Term | *e*Plus's Proposed Construction | Lawson's Proposed Construction |
|---|---|---|
| **Means for processing said requisition to generate purchase orders for said selected matching items**<br><br>**('172 Patent: claim 1)** | **Function:** processing a requisition to generate purchase orders for selected matching items.<br><br>**Corresponding Structure:** a computer which is programmed with special-purpose software modules including a purchasing module to execute an algorithm which includes the steps of: (1) accepting the requisition; and (2) generating purchase orders based on the data included in the requisition related to the selected matching items on the order list and based on predetermined rules relating to the user's preference (*e.g.*, one purchase order to each distinct supplier referenced in the requisition); and structural equivalents thereof.<br><br>*See, e.g.*, '172 Patent Col. 1, ll. 15-40; Col. 10, ll. 53-65; Col. 15, l. 39-Col. 16, l. 4; Col. 18, ll. 6-16; Col. 18, ll. 54-67; Figs. 1-3. | **Function:** processing a requisition to generate purchase orders for the selected matching items.<br><br>**Corresponding Structure:** None. |

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16th day of February, 2010, the foregoing PLAINTIFF *e*PLUS INC.'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF ITS CONSTRUCTION OF CERTAIN MEANS-PLUS-FUNCTION CLAIM ELEMENTS was electronically filed with the Clerk of the Court using the CM/EFC system, which will then send a notification of such filing (NEF) to counsel of record. Copies of the foregoing were also served on the following:

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